

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:22-cv-05367-RGK-MAA Date June 14, 2023

Title *Joshua Assiff v. County of Los Angeles et al*

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Joseph Remigio (not present)

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order Re: Defendant's Declaration in Support of Plaintiff's Application to File Under Seal [DE 73]**

On June 5, 2023, Plaintiff filed an Application to File Under Seal ("Application") portions of his Opposition to Summary Judgment, Statement of Genuine Disputes of Material Fact, and a declaration in support thereof. (ECF No. 53.) Plaintiff sought to file under seal material that Defendants designated as confidential pursuant to a protective order. Defendants did not file a declaration in support of the Application as required by Local Rule 79-5.2.2(b). On June 12, 2023, the Court denied the Application pursuant to its Standing Order. (ECF No. 69).

On June 14, 2023, Defendants filed an untimely Declaration in Support of Plaintiff's Application to File Under Seal ("Declaration"). The Court determines that the untimeliness of the filing is due to excusable neglect, and will therefore address its contents.

Under Local Rule 79-5.2.2(b), a declaration in support of an application to file under seal pursuant to a protective order must "show[] good cause or demonstrate[e] compelling reasons why the strong presumption of public access in civil cases should be overcome." C.D. Cal. L.R. 79-5.2.2(b)(i).

Here, the Declaration does not meet this high standard. Defendants cite—indirectly—only one case that is binding authority on this Court. That case is readily distinguishable from the matter at hand, as it does not involve the sealing of a public employee's disciplinary records.

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Accordingly, the Court does not alter its previous Order regarding Plaintiff's Application to File Under Seal. Pursuant to Local Rule 79-5.2.2(b)(ii), Plaintiff shall file the unredacted documents in the public case file no earlier than 4 days, and no later than 10 days, from the issuance of the Court's initial June 12, 2023 Order.

**IT IS SO ORDERED.**

Initials of Preparer

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JRE/ak  
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